

- 1 -

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Before the Examiner:
Roger Kenneth Abrams	:	Truong, Thanhnga B.
Serial No.: 09/708,397	:	Group Art Unit: 2135
Filed: November 8, 2000	:	
	:	IBM Corporation
Title: SYSTEM AND METHOD	:	IP Law Dept. YXSA/Bldg. 002
FOR PREVENTION OF	:	3039 Cornwallis Road
BUFFER OVERFLOW INTRUSIONS	:	P.O. Box 12195
	:	Research Triangle Park, NC 27709

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief having a mailing date of April 17, 2007, with a time for response set to expire on May 17, 2007, Appellant responds as follows:

The Examiner indicated that the Supplemental Appeal Brief, filed on January 18, 2005, incorporating various sections of Appellant's Appeal Brief, filed on August 20, 2004, does not include the sections required in 37 C.F.R. §41.37(c). Appellant would like to point out that the Appeal Brief was filed prior to the rule changes and hence there was no section 37 C.F.R. §41.37(c) at the time of filing. Appellant has amended the Supplement Appeal Brief (referred to as the "Amended Second Appeal Brief") to be commensurate with the new rule changes under 37 C.F.R. §41.37(c). As a result, Appellant respectfully asserts that the Amended Second Appeal Brief, filed herewith, is in compliance and respectfully requests the Examiner to withdraw the notice of non-compliance.

Respectfully submitted,

WINSTEAD P.C.

Attorneys for Appellant

By: 

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